

# EXHIBIT 2

1 GIBSON, DUNN & CRUTCHER, LLP

Wayne M. Barsky, SBN 116731

2 Kevin S. Rosen, SBN 133304

DoHoang T. Duong, SBN 219127

3 2029 Century Park East, Suite 4000

Los Angeles, California 90067-4276

4 Telephone: (310) 552-8500

5 Facsimile: (310) 557-8741

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CLERK, U.S. DISTRICT COURT

MAR 25 2004

CENTRAL DISTRICT OF CALIFORNIA  
BY DEPUTY

6 Attorneys for Defendant and Counterclaimant,  
The Trustees Of Columbia University  
7 In The City Of New York

8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

10 WESTERN DIVISION

12 IMMUNEX CORPORATION, a  
Washington corporation, and AMGEN,  
13 INC., a Delaware corporation,

14 Plaintiffs,

15 vs.

16 THE TRUSTEES OF COLUMBIA  
UNIVERSITY IN THE CITY OF NEW  
17 YORK, a New York corporation,

18 Defendant.

19 THE TRUSTEES OF COLUMBIA  
UNIVERSITY IN THE CITY OF NEW  
20 YORK, a New York corporation,

21 Counterclaimant,

22 vs.

23 IMMUNEX CORPORATION, a  
Washington corporation, and AMGEN,  
24 INC., a Delaware corporation,

25 Counterdefendants.

Case No. CV 03-4349-MRP(CWx)

**PROPOSED ORDER STAYING  
DISCOVERY AND DENYING  
AMGEN'S EX PARTE  
APPLICATION**

DOCKETED ON CM

MAR 26 2004

BY  013

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1 The Court has before it a request for a status conference from defendant and  
2 counterclaimant, The Trustees of Columbia University in the City of New York  
3 ("Columbia") (filed March 19, 2004). Columbia suggests that the Court conduct a  
4 status conference to consider staying discovery in this matter pending a ruling by the  
5 Judicial Panel on Multidistrict Litigation (the "MDL Panel") on Columbia's petition  
6 for consolidated pre-trial proceedings.

7 The Court also has before it, from plaintiffs and counterdefendants Immunex  
8 Corporation and Amgen, Inc. (collectively, "Amgen"), an *Ex Parte* Application For  
9 Order (i) To Require Columbia To Comply With Its Rule 26 Obligations, (ii) That  
10 Formal Discovery May Commence, and (iii) That Amgen's Written Discovery Is  
11 Timely, Valid and Proper (the "*Ex Parte* Application").

12 The Court conducted a telephonic conference with counsel for all parties on  
13 March 22, 2004. Amgen was represented at the hearing by Arthur Wineburg and  
14 Jennie L. La Prade of Pillsbury Winthrop. Columbia was represented by Wayne  
15 Barsky of Gibson, Dunn & Crutcher.

16 The Court finds that, in view of Columbia's pending petition before the MDL  
17 Panel, oral argument on which is set for March 23, 2004, there is good cause to stay  
18 discovery in this action. Accordingly, the Court ORDERS as follows:

19 1. All discovery in this action shall be held in abeyance pending a ruling by the  
20 MDL Panel on Columbia's pending petition for consolidated pre-trial proceedings.

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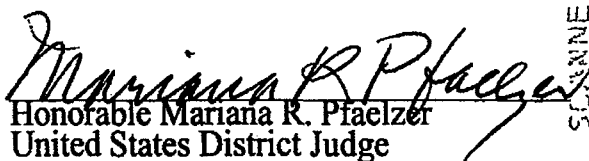
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1 2. Amgen's *Ex Parte* Application is DENIED.


2 Dated: March 25 2004

3   
4 Honorable Mariana R. Pfaelzer  
United States District Judge

SCANNED

5 Submitted by:

6 GIBSON, DUNN & CRUTCHER, LLP  
7 Wayne M. Barsky  
8 Kevin S. Rosen  
DoHoang T. Duong

9 By:   
10 Wayne M. Barsky

11 Attorneys for Defendant and Counterclaimant,  
12 The Trustees Of Columbia University  
13 In The City Of New York

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